



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 98-027

AN ORDINANCE FORMALLY AWARDING ALL STALLS AT CERTAIN PORTIONS OF THE THIRD FLOOR OF THE NAGA CITY PUBLIC MARKET AND PRESCRIBING RATES OF RENTALS THEREOF: -

Author: Hon. Simeon Adan

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. TITLE - The title of this ordinance shall be, "AN ORDINANCE FORMALLY AWARDING OCCUPANCY OF ALL STALLS AT CERTAIN PORTIONS OF THE 3RD FLOOR OF THE NAGA CITY PUBLIC MARKET AND PRESCRIBING RATES OF RENTALS THEREOF";

SECTION 2. SCOPE - This ordinance covers all market stalls at the third floor at the Naga City Public Market appearing in the enclosed sketch plan prepared by the Market Supervisor IV hereto enclosed and forming part of this ordinance whether or not they are presently occupied by temporary Stallowners or are new and vacant and are being offered for occupancy to applicants;

SECTION 3. - DEFINITION OF TERMS. -

- a. Market Stalls - shall refer to all apportioned areas at the 3rd Floor of the Naga City Public Market as are allowed for vending various products of commerce and delimited in areas of the said floor measuring two (2) meters by two meters per stall;
- b. Market Supervisor IV - shall refer to the duly designated administrator of the Naga City Public Market appointed by the City Executive to supervise and manage all activities at the said public market;
- c. Market Collector - shall refer to the personnel assigned by the City Treasurer's Office under the supervision of the Market Supervisor IV and authorized to collect the rentals or fees from the occupants of the market stalls;
- d. Market Guards - shall refer to persons assigned at the Public Market also under supervision by the Market Supervisor IV to maintain peace and order and exact discipline and enforce rules and regulations thereat as are provided for in existing ordinances of the city;
- e. Stall Owners - shall refer to occupants of the market stalls in the areas referred to in Section 3-a of this ordinance who have complied with all prescribed requirements of this ordinance;

- f. Unauthorized Vendors - shall refer to any person who sells items of commerce at the vicinity of the 3rd floor and other floors of the Public Market without necessary permit or award to sell at any portion of the said market area;
- g. Rate of Rentals - shall refer herein as the amount to be paid regularly by the duly awarded occupants of the market stalls at this areas as prescribed monthly rates determined by the Market Awards Committee;

SECTION 4. - PROCEDURES IN AWARDING OCCUPANCY OF MARKET STALLS. -

- a. All market stalls in this portion of the 3rd Floor of the Public Market have been pre-determined in a sketch plan prepared by the Market Supervisor IV. Only those spaces indicated therein are to be awarded under this ordinance;
- b. All vendors presently occupying the stalls indicated in the a forecited sketch shall automatically be qualified to be awarded to said stall or stalls provided he/she agrees to assume the prescribed rentals and other fees, and that they have not violated any of the prohibited acts in Section 6 of this ordinance particularly Sections 6-(4), 6-(5) & 6-(6);
- c. All new applicants who have not established occupancy thereat shall be limited strictly to only one stall;
- d. All applicants shall accomplish the required Contract Forms available at the Market Awards Committee and submit the same duly accomplished within the prescribed period. The location of the stall must clearly be identified by number/s appearing in the sketch plan;
- e. As soon as the applications are approved, notice of this fact shall be issued by the Market Awards Committee and within a period of five (5) days the awardee must pay the necessary mayor's permit, license, and other fees, and rentals;
- f. Award of the given stall or stalls shall be perfected and occupancy thereof commence on the date the Contract of Occupancy is approved and signed by the City Executive.

SECTION 5. - RATES OF MONTHLY RENTALS AND MODE OF PAYMENT. -

- a. The awardee and occupant of the market stalls of the 3rd Floor of the Public Market shall pay a uniform rental of TWO HUNDRED PESOS (P200.00) per month for each stall;
- b. Mayor's Permit License and other fees shall be paid by the awardees of these market stalls;
- c. Monthly rentals shall be paid on or before the twentieth (20th) day of the month following the month due failure to pay on such date a penalty of 25% surcharge plus 14% interest shall be imposed.

SECTION 6. GROUNDS FOR CANCELLATION OF AWARDS. -

- a. Any award of occupancy of any of the market stalls referred to in previous sections of this ordinance maybe revoked or cancelled by the Market Awards Committee after proper hearing if the same has been found to be in gross violation of the following rules, viz:

1. Non payment of monthly rentals for a period of at least two (2) months;
2. Sub-leasing the stall to another person;
3. Mortgaging or encumbering his rights on the award or contract to any other person;
4. Utilizing the stall or space therein other than the purpose for which it was granted;
5. Violation of the prohibited acts such as cooking or sleeping inside the stalls making the same as sleeping quarters for the family and non-compliance with proper waste disposal;
6. Making substantial alterations or making additional structures on the stall without permission from the Market Supervisor IV.

SECTION 7. - REPEALING CLAUSE. - all ordinances, resolutions, executive orders and other issuances which in some way are in conflict with the provisions of this ordinance are hereby repealed.

All provisions or parts thereof that may be declared unconstitutional by competent authority maybe declared null and void but those remaining portions not so declared shall remain valid and effective.

SECTION 8. – EFFECTIVITY. - this ordinance shall become effective upon the date of its approval.

ENACTED: February 25, 1998.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
City Secretary

JOSE C. RAÑOLA, M.D.
City Councilor & Acting Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor